

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

WILLIAM P. EBLEN,)	
)	
<i>Plaintiff,</i>)	Case No. 3:25-cv-20
)	
v.)	Judge Atchley
)	
WILLIAM LEE, <i>et al.</i> ,)	Magistrate Judge McCook
)	
<i>Defendants.</i>)	

ORDER

On June 10, 2025, United States Magistrate Judge Jill E. McCook filed a Report and Recommendation [Doc. 13] pursuant to 28 U.S.C. § 636 and the Rules of this Court. The Magistrate Judge granted Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs [Doc. 10]. [Doc. 13]. She recommends, however, that the action be dismissed due to Plaintiff's failure to prosecute. [*Id.*].

The basis for the Magistrate Judge's dismissal recommendation is clear from the record. Judge McCook screened the Complaint pursuant to 28 U.S.C. § 1915, and identified certain deficiencies in Plaintiff's pleadings. [Doc. 11]. Specifically, the Magistrate Judge found that Plaintiff had not pleaded sufficient facts to show he was entitled to relief against the Defendants, none of whom were specifically referenced in his factual allegations. [*Id.* at 3]. He also did not plead sufficient facts about the alleged illegality of his incarceration. [*Id.*]. Accordingly, on March 13, 2025, Judge McCook gave Plaintiff an opportunity to amend his complaint, and gave him until April 14, 2025, to do so. [*Id.*].

Plaintiff filed nothing in response to Judge McCook's order, despite previously making multiple filings, including in response to prior deficiency orders. *See, e.g.* [Docs. 8 & 10].

Accordingly, on May 5, 2025, some 3 weeks after Plaintiff's amendment deadline, Judge McCook ordered him to show cause why she should not recommend dismissal of this action for failure to prosecute. [Doc. 12]. Plaintiff again filed nothing in response to Judge McCook's Order [Doc. 12].

On June 10, 2025, Judge McCook entered her Order and Report and Recommendation [Doc. 13], granting Plaintiff's application to proceed in forma pauperis and recommending the dismissal of his action for failure to prosecute. Judge McCook specifically advised Plaintiff that "[a]ny objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party." [*Id.* at 4 n. 2]. She further advised Plaintiff that the failure to file objections within the time specified waives the right to appeal the District Court's order. [*Id.*].

Plaintiff has not filed an objection to the Report and Recommendation [Doc. 13], or made any other filings in this case since Judge McCook ordered amendment of the Complaint on March 13, 2025. The Court has nonetheless reviewed the Report and Recommendation [Doc. 13], as well as the record, and agrees with Magistrate Judge McCook's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge McCook's findings of fact and conclusions of law as set forth in the Report and Recommendation [Doc. 13]. This action is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with Orders of the Court.

SO ORDERED.

/s/ Charles E. Atchley, Jr.
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE